

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE: COLUMBIA UNIVERSITY
PATENT LITIGATION**

MDL NO. 1592

**IMMUNEX CORPORATION, a
Washington Corporation and
AMGEN INC., a Delaware Corporation,**

CIVIL ACTION NO.: 04-10740-MLW

C. D. Cal. No. CV 03-4349 MRP (CW_x)

Plaintiffs,

Judge Mark L. Wolf

vs.

**THE TRUSTEES OF COLUMBIA
UNIVERSITY in the City of New York, a
New York Corporation,**

Defendant.

AND RELATED COUNTERCLAIM.

**ASSENTED TO MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF AMGEN
INC.'S AND IMMUNEX CORPORATION'S MOTION TO SUPPLEMENT AND
AMEND COMPLAINT**

Pursuant to Local Rule 7.1(b)(3), Amgen Inc. and Immunex Corporation (collectively "Amgen") hereby request leave of the Court to file a Reply Memorandum in support of Amgen's Motion to Supplement and Amend Complaint. The Reply Memorandum has been filed concurrently herewith. Among other things, the Reply Memorandum is necessary to address and respond to issues raised in Columbia's Opposition, including Columbia's newly raised argument that a standing order issued by the Court in California prohibits amendment of the pleadings. The Reply Memorandum is also necessary to update the Court regarding common factual issues

underlying claims for relief asserted in related actions. Accordingly, Amgen believes that the Reply Memorandum will assist the Court in reaching a decision on the pending Motion to Supplement and Amend Complaint. Columbia does not oppose the filing of Amgen's Reply Memorandum.

Dated: January 4, 2005.

Respectfully submitted,

IMMUNEX CORPORATION, a Washington
Corporation and AMGEN INC., a Delaware
Corporation

By their attorneys,

/s/ Eileen M. Herlihy

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